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## PARTICIPATION OF STATE INSTITUTION SCHOOLS IN FEDERAL EDUCATION GRANTS

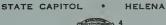
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October 1972



OFFICE OF THE LEGISLATIVE AUDITOR STATE OF MONTANA







#### STATE OF MONTANA

## PARTICIPATION OF STATE INSTITUTION SCHOOLS IN FEDERAL EDUCATION GRANTS

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## OFFICE OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

October 1972



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## OFFICE OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

Dolores Colburg Superintendent of Public Instruction

Harold Rehmer Assistant Superintendent



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STATE OF MONTANA

### Office of the Legislative Auditor

STATE CAPITOL HELENA. MONTANA 59601

The Legislative Audit Committee of the Montana State Legislature:

We have examined the activities of the Office of the State Superintendent of Public Instruction with respect to the administration of federal grant and commodity assistance to state institutions which operate primary and secondary schools. Our examination was made in accordance with generally accepted auditing standards and, accordingly, included such auditing procedures as we considered necessary in the circumstances.

This report presents the findings and recommendations resulting from our examination of the federal assistance program insofar as it pertains to three Montana state institutions, namely, the Pine Hills School, Montana Children's Center, and the Mountain View School. Other state institutional schools were not considered in our examination although the findings and recommendations in this report may apply to them also.

The recommendations presented in this report are directed to the State Superintendent's Office because it is the administrative agency responsible for the particular federal assistance programs. Since the matters presented in the report affect the state institutions, however, we are forwarding copies of the report to the State Department of Institutions.



#### COMMENTS

#### GENERAL

The Office of the State Superintendent of Public Instruction administers numerous programs authorized and financed by the Federal Government. Several of these programs exist to provide assistance to public schools for the purpose of conducting school nutrition programs such as school breakfast, lunch, and milk, and acquiring educational equipment and materials.

In some instances, the federal assistance consists of formula grants in which money is made available to the State Superintendent's Office by the U. S. Departments of Agriculture and Health, Education, and Welfare. In other instances, the federal assistance consists of food commodities and equipment grants from the U. S. Department of Agriculture. Whatever the case, i.e., money, equipment, or commodities, the State Superintendent's Office is responsible under state law for the administration and dissemination of information and money under these programs. In this regard, we found that although some of the state institutions are receiving direct federal assistance for one food program without the involvement of the State Superintendent's Office, this assistance does not include the major food and equipment programs administered by the State Superintendent's Office. As a consequence, those state institutions operating schools which are ostensibly eligible for federal assistance under the various programs administered by the State Superintendent's Office are not receiving such assistance as pointed out in the comments which follow.

#### SCHOOL NUTRITION GRANTS

Monetary, commodity, and equipment assistance is available to the state for school nutrition programs under several acts of Congress. These acts include the Child Nutrition Act of 1966, the National School Lunch Act of 1947, and the Agricultural Act of 1949. In conjunction with this



federal legislation, the State Superintendent's Office is authorized by Section 75-8002, R.C.M. 1947, to accept and direct the disbursement of money appropriated by Congress for use in financing school nutrition programs referred to in the law as school food services. School food services, according to Section 75-8001, R.C.M. 1947, means any services providing food to school pupils on a non-profit basis, including any food service money or commodities provided by the Federal Government. In this connection, school food services include the milk program, and meal services such as breakfast, lunch, and commodity distribution programs, as well as the non-food, but food-related equipment program.

Our examination of these programs insofar as state institutions are concerned, disclosed two questions, i.e., eligibility and use of the programs.

#### Eligibility of State Institutions

Our review disclosed that the Pine Hills School, Montana Children's Center, and Mountain View School were not participating in the federal food service programs administered by the State Superintendent's Office because these and other state institutions were not believed to be eligible for participation. We were initially informed by officials of the State Superintendent's Office that the schools at these facilities were not eligible under the various federal statutes and regulations governing the respective food service programs. Consequently, the schools at these institutions have not been declared eligible by the Superintendent's Office.

Our examination of the federal criteria governing the food service programs and discussions with federal personnel responsible for the programs indicate that the schools at the Pine Hills, Montana Children's Center, and Mountain View institutions are eligible for participation in the federal



food service programs and that other state institutions having educational programs may also be eligible.

The results of our review show the eligibility of the state institutional schools is based upon several factors. Federal statutes (42 U.S.C. 1760 and 1784) define schools as "... any public or non-profit private school of high school grade or under ...." In this respect, the Pine Hills, Montana Children's Center, and Mountain View institutions operate schools of high school level and under. As a result, these institutions qualify under the federal statutes as schools.

Criteria for eligibility is further defined in regulations issued by the U. S. Department of Agriculture. USDA Instruction 776-1, dated May 10, 1965, prescribes criteria whereby the eligibility of schools can be determined. The criteria set out in the instruction are as follows:

- Does the school have a graded course of instruction that meets the educational requirements of the state?
- 2. Are credits of advancement given for completed classwork?
- 3. Is class attendance compulsory?
- 4. Are records maintained?
- 5. Are the courses of instruction given recognized and credited by the public schools of the state?

Insofar as we could determine, the school programs at the Pine Hills, Montana Children's Center, and Mountain View institutions meet each of the foregoing criteria. That is, the schools are accredited and the teachers are certified by the State Superintendent's Office; the schools provide graded courses for which credits are given and attendance is compulsory and, upon release, the students are accepted in the regular public school system. Furthermore, the USDA Instruction specifically states that state



institutional, training, and correctional schools meeting the foregoing criteria generally qualify for participation in the federal school food service programs.

In view of the foregoing, we believe that the state schools at the Pine Hills, Montana Children's Center, and Mountain View institutions are eligible for participation in the federal food service programs administered by the State Superintendent's Office. In addition, we believe it is possible that the other state institutions having educational programs such as the Boulder River School and Hospital, the State Prison, Swan River Youth Forest Camp, and Warm Springs State Hospital, may also qualify for participation in the federal food service programs administered by the State Superintendent's Office. In this regard, we believe that the Department of Institutions should correlate these and other such programs with needs at the various institutions to optimize outside financial assistance. The fact that this is not being done, as evidenced by the lack of institutional participation in the school food programs, is a problem within itself and beyond the limits of this report.

The determination as to whether state institutions, or any public school for that matter, are eligible for participation in the school food programs is the sole responsibility of the State Superintendent's Office. This fact is established by both state and federal law (Section 75-8001, R.C.M. 1947, and 42 U.S.C. 1756, 1751, and 1773) as well as federal regulations (7 C.F.R. 210 through 220). Although there is no question that the Department of Institutions has some inherent responsibility for seeking out financing assistance, such as that provided by these programs, the state institutions cannot participate without a determination of eligibility by the State Superintendent's Office.



We were informed by personnel of the State Superintendent's Office that present statutes may prohibit them from administering the school food service programs to the state institutional schools. In this regard, the officials pointed out that Section 75-8001, R.C.M. 1947, defines "school food services" as meaning the service of providing food for the pupils of a district. Since the state institutional schools do not comprise "a district" according to the State Superintendent's officials, they may not be able to participate in the school food services program.

Irrespective of this question, we believe it is unreasonable that eligible pupils in state institutional schools be excluded from the school food services programs merely because the state institutional schools do not formally comprise a district as such. If the eligible students in the state institutional schools were not in the state institutions, but rather were attending school in a school district, their participation would not be questioned. Consequently, we do not believe the fact that state institutional schools are not in themselves school districts should be a deterrent to eligibility and participation. This contention is supported from the federal standpoint because, as pointed out above, USDA instructions specifically provide that such schools generally qualify for participation in the programs. However, if the State Superintendent's Office finds that such is the case, we believe the State Superintendent's Office should consider seeking the legislation necessary to clarify the eligibility of state institutional schools to participate.



Accordingly, we believe that the Superintendent's Office should (1) reexamine the potential eligibility of the state institutional schools for
participation in the U. S. Department of Agriculture food service programs
administered by the Superintendent's Office, and (2) if appropriate, take
the steps necessary to qualify the institutional schools, including declaring
them to be public schools, and notifying the proper federal agencies.

#### RECOMMENDATION

We recommend that the State Superintendent's Office:

- 1. Re-examine the eligibility of the state institutional schools for participation in the federal food service programs administered by the Superinterdent's Office.
- 2. Accomplish the steps necessary to establish the eligibility of those state institutional schools which qualify.

#### Use of Federal Food Service Programs

As previously mentioned, the federal school food services programs administered by the Superintendent's Office consist of the milk and meal services, commodity distribution programs, and the food-related equipment program. The nature and potential state institution use of these programs are discussed in the following comments.

#### Milk Program

The school milk program consists of federal assistance in the form of reimbursement payments to schools through the Superintendent's Office. The purpose of the program, which is authorized by the federal Child Nutrition Act of 1966, is to encourage consumption of milk by children in public and non-profit private primary and secondary schools, child care centers, and non-profit institutions that provide for the care and training of children.



Of the three state institutional schools included in our review, two schools (Montana Children's Center and Mountain View) participate in the federal school milk program, while the remaining school (Pine Hills) does not. All of the three state institutional schools included in our review obtain milk free of cost from the state operated dairies at Pine Hills or the State Prison. Two of the schools, Mountain View and Montana Children's Center, have sought and received federal milk reimbursements; however, both have done so independently of the Superintendent's Office, i.e., they deal directly with the same federal agency as the Superintendent's Office. The third institution, Pine Hills School, which does not participate in the milk program, provides its own milk from a state owned dairy operation at the school and has not sought milk reimbursements even though such reimbursements could have been obtained.

Our contact with officials of these three institutions disclosed that much greater use of the federal milk program could be made. This is illustrated by the fact that Pine Hills was not seeking any federal milk reimbursements even though eligible for such assistance and by the fact that Mountain View recently decided to discontinue participation in the federal milk program because their milk was being provided free. In the case of Montana Children's Center, the reimbursements are being sought and held in a treasury account for occasional use in conjunction with the milk program at that institution.

The fact that milk is being provided free to state institutions by state dairies should not be a deterrent to seeking reimbursement. The cost of producing and providing the milk is being incurred at some level within the state and, as a consequence, the federal reimbursements should be sought and applied toward that cost.



We were informed that the Superintendent's Office presently administers the federal milk program in about 400 public schools in the state. Since the Superintendent's Office is now administering the federal milk program on a large scale, we believe the federal milk programs in the state institutional schools should be brought within the program administered by the state superintendent. Consequently, upon determination of eligibility for participation in the federal milk program, we believe the Superintendent's Office should consult with the Department of Institutions with respect to assuming administrative control of the federal school milk programs at the various state institutions.

#### RECOMMENDATION

We recommend that the State Superintendent's Office consult with the Department of Institutions to:

- 1. Assume administrative control of the federal school milk programs at the state institutions.
- 2. Insure that federal milk reimbursements are sought and properly allocated.

#### Meal Program

The meal service programs administered by the Superintendent's Office consist of school breakfast and school lunch. These programs, which are authorized by the federal Child Nutrition Act of 1966 and by the National School Lunch Act of 1947, operate on the basis of federal reimbursements to schools having breakfast and lunch programs. In the case of school breakfast, the schools are reimbursed at the rate of 20¢ for each free breakfast served. In the case of school lunch, the program provides for a basic reimbursement of 6¢ per lunch served and an additional reimbursement of 40¢



per lunch or cost, whichever is lower. The additional reimbursement is for financially needy children in schools serving free or reduced price lunchen. Whether or not children are needy is a determination made by the schools on the basis of guidelines established by the State Superintendent's Office. In the case of the institutional schools, all meals served the students are free in that the state bears the cost of the meals. Aside from being served to needy children, the lunches served must also meet certain nutritional requirements. We were advised by responsible personnel at the institutions we visited that the lunches at the institutions more than meet these requirements.

Although the school breakfast program is basically oriented toward schools in isolated and economically poor areas, the federal criteria allows other schools to participate provided sufficient resources are available. Sufficient resources have been available during the last two years in that the entire grants were not distributed by the Superintendent's Office even though all schools operating breakfast programs were reimbursed to the maximum permissible extent. The following table depicts the grants awarded, distributed, and undistributed for the two years:

	Fiscal Year	
	1970-71	1971-72
Federal Breakfast Program Grants	\$74,556	\$98,207
Distributed by State Superinten-		
dent's Office	41,382	47,687
Undistributed at Year-end	\$33,174	\$50,520

The amounts which were undistributed at year-end lapse and are not available in ensuing years. Inasmuch as the grant award has been more than sufficient to reimburse all public schools providing breakfasts to their students, there



has been no need for the Superintendent's Office to identify and give first consideration to the schools with isolated or poor economic conditions.

As a consequence, had the state institutional schools been participating in the school breakfast program, reimbursement of costs borne by the State General Fund could have been obtained from the federal program. The same could have been accomplished under the school lunch program. In this regard, the following table illustrates the extent of the school breakfast and lunch programs at the Pine Hills, Montana Children's Center, and Mountain View institutions, as well as the amount of costs financed by the State General Fund, which could have been reimbursed for the 1971-72 fiscal year if these three institutions were participating in the federal program administered by the Superintendent's Office. The figures in the schedule are based upon the premise that meals served meet the eligibility requirements for participation in the programs.

## BREAKFASTS AND LUNCHES SERVED AND POTENTIAL REIMBURSEMENTS AT THREE STATE INSTITUTIONAL SCHOOLS Fiscal Year 1971-72

	Pine <u>Hills</u>	Montana Children's Center	Mountain <u>View</u>	<u>Total</u>
School Breakfasts				
Number Served	41,691	36,968	20,895	99,554
Estimated Cost	\$23,764	\$30,683	\$15,044	\$69,491
Potential Reimbursement	\$ 8,338	\$ 7,394	\$ 4,179	\$19,911
Percent of Cost	35%	24%	28%	29%



	Pine Hills	Montana Children's Center	Mountain <u>View</u>	<u>Total</u>
School Lunches				
Number Served	41,275	<u>36,939</u>	20,742	98,956
Estimated Cost	\$23,527	\$30,659	<u>\$14,934</u>	\$69,120
Potential Reimbursement	\$18,986	\$16,992	\$ 9,541	\$45,519
Percent of Cost	81%	55%	64%	66%
Combined Programs				
Estimated Cost	\$47,291	\$61,342	\$29,978	\$138,611
Potential Reimbursement	\$27,324	\$24,386	\$13,720	\$ 65,430
Percent of Cost	58%	40%	46%	47%

As illustrated by the foregoing table, we estimate that as much as \$65,430, or about 47 percent, of the cost of the breakfast and lunch programs at the three institutions could be reimbursed to the state if the three institutions were declared eligible to participate and did participate in the federal school breakfast and lunch programs. Because of this, we believe the State Superintendent's Office should, upon determining state institution eligibility, take the initiative to insure that the state is properly reimbursed for the cost of school breakfast and lunch programs at eligible state institutions.

#### RECOMMENDATION

We recommend that, upon determination of eligibility of schools at state institutions, the State Superintendent's Office initiate the measures necessary to insure that the state is properly reimbursed for the cost of school breakfast and lunch programs.

#### Commodity Distribution Program

Schools participating in the school food services programs are also eligible to receive donable food commodities provided by the U. S. Department



of Agriculture pursuant to the Agricultural Act of 1949 and distributed by the State Superintendent's Office. Because their eligibility has not been previously determined, however, the state institutions do not receive commodities from the Superintendent's Office, but rather receive them from the U. S. Department of Agriculture through the State Department of Social and Rehabilitation Services. Because of differences between the programs administered by the Superintendent's Office and the Department of Social and Rehabilitation Services, the type of commodities available under the latter are more limited. That is, a broader range of commodities is available under the school food services program administered by the Superintendent's Office, as indicated by the following table.

## COMMODITIES AVAILABLE THROUGH BOTH PROGRAMS

All Purpose Flour Peanut Butter

Bread Flour Raisins

Butter Rice

Dry Milk Rolled Oats

Dry Beans Rolled Wheat

Shortening

Vegetable Salad Oil

## ADDITIONAL COMMODITIES AVAILABLE THROUGH SCHOOL FOOD SERVICES PROGRAM

Canned Applesauce		Canned Sweet Potatoes	Frozen Cut-up Chicken
Canned Apricots		Canned Tomatoes	Frozen French Fried Potato
Canned Corn		Cornmeal	Frozen Ground Beef
Canned Green Beans		Dehydrated Potato Flakes	Frozen Ground Beef Patties
Canned Peaches (24 2-1/2 cans)		Dry Split Peas	Frozen Ground Pork
Canned Peaches (6/#10 cans	;)	Fresh Apples	Frozen Turkey
Canned Green Peas		Fresh Cranberries	Process Cheese

Canned Pineapple

Canned Pears

Fresh Pears



In discussing the two programs with representatives of the state institutional schools, we were advised that these additional commodities would substantially benefit their food service programs. In view of this and since these additional commodities are now presumably being purchased by the state institutional schools, we believe the Superintendent's Office should take the action necessary to include the state institutional schools in the school food service commodity distribution program.

### RECOMMENDATION

We recommend that the State Superintendent's Office include the state institutional schools, upon determination of eligibility, in the school food services commodity distribution program.

## Food Related Equipment

The food related equipment program (also referred to as the non-food service program) is provided by the Federal Government to assist schools in the procurement of equipment for storing, preparing, transporting, and serving food, and to establish, maintain, and expand food service programs. The assistance consists of grants amounting to 75 percent of the cost of equipment such as appliances, utensils, trays, etc.

We were advised by the Superintendent's Office that federal grant money has not been sufficient to finance all schools applying for non-food assistance. As a result, the Superintendent's Office has had to set priorities based on need. Generally, the schools attempting to establish a school lunch and/or breakfast program receive first priority, as opposed to those schools which already have such programs. This does not preclude the institutional schools from applying for assistance in this category.



In order for the state institutional schools to receive federal assistance under this program, they would have to demonstrate a greater need than other schools.

Inasmuch as we believe the state institutional schools are eligible to participate in the federal school food service program administered by the Superintendent's Office, these schools should apply for whatever federal assistance is available. In this respect, we believe the state institutional schools should apply for and be given equal consideration for participation in the food related (non-food service) program.

### RECOMMENDATION

We recommend that the State Superintendent's Office consider the state institutional schools under the food related (non-food service) equipment program.

### EDUCATIONAL EQUIPMENT GRANTS

Another federal grant program designed to provide financial assistance to schools is the Educational Equipment Program under Title III of the National Defense Education Act of 1958. This program is designed to assist schools in the acquisition of laboratory and other special equipment, non-consumable materials, and for minor remodeling of space for such equipment and materials in selected academic areas. Federal grants are allocated to the state on a per pupil and income per pupil basis. The State Superintendent's Office administers the program, which includes receiving the grant money, notifying the schools of the availability of the grant money, approving project applications, and disbursing the money to school districts. Basically, the program provides for reimbursement to the school districts of up to 50 percent of the acquisition cost of eligible materials and equipment.



The state institutional schools are eligible under the federal criteria to participate in the program and in 1967 one state institutional school received a reimbursement under the program. Since that time the state institutional schools have not utilized the program, even though these schools have purchased equipment and materials which qualified for reimbursement under the program. In this regard, our review of purchases at the Pine Hills, Montana Children's Center, and Mountain View institutions during the 1971-72 fiscal year disclosed the following equipment and material acquisitions which are eligible for reimbursement under the NDEA Title III program.

# SCHEDULE OF PURCHASES ELIGIBLE FOR REIMBURSEMENT UNDER THE NDEA TITLE III PROGRAM

School School	Eligible <u>Purchases</u>	Potential Reimbursement	Percent
Pine Hills	\$1,069	\$535	50%
Montana Children's Center	196	98	50%
Mountain View	338	169	50%
Total	\$1,603	\$802	50%

In addition to the equipment and material purchases reflected above, which cover only one year, it is probable that the state institutional schools would have been able to purchase other materials and equipment to upgrade the quality of education in the selected academic areas had they participated in the program.

Personnel at the state institutional schools advised us that they
were not aware of the program benefits or what types of equipment and
materials qualified. In this regard, the Superintendent's Office sends
out notices each year to school district officials and county superintendents



advising them of the availability of federal assistance under this program. The notice identifies the procedures, deadlines, and basic requirements for participation. The notice also refers to a handbook which describes in more detail the necessary procedures and in particular the types of equipment and materials which qualify for reimbursement. We were advised by personnel within the Superintendent's Office that a copy of the same notice is also mailed to the state institutional schools each year and that the handbook was last provided to all public schools and the state institutions in 1965. However, personnel responsible for the education programs at the state institutional schools advised us that they are not aware of receiving the annual notices or the handbook. We did not conclusively determine whether or not the notice and handbook were received by the state institutions. Regardless of the reasons why the state institutional school officials were not aware of the NDEA Title III program, the opportunity exists for the state institutions to take advantage of the program benefits. The State Superintendent's Office, in our opinion, should contact the appropriate personnel at the institutional schools, advise them of the availability of the program, and provide the schools with a copy of the handbook.

In this regard, of the 895 accredited schools in the state, we were informed that 122 submitted project applications for participation in the NDEA Title III reimbursement program. The Superintendent's Office has not established procedures to follow up and determine why the non-participating school districts do not apply. As a result, there is no assurance that the school districts are aware of the program and the types of equipment and materials which are eligible for reimbursement. For example, one administrator at a state institutional school had the mistaken



understanding that reimbursement was available only for capital items costing over \$100. Accordingly, we believe the Superintendent's Office should establish a followup system to assure that appropriate personnel at all eligible schools are aware of the program.

### RECOMMENDATION

We recommend that the State Superintendent's Office:

- 1. In coordination with the State Department of Institutions, devise a system to insure that the institutional schools' officials are kept informed of the potential equipment and material reimbursements available under the NDEA Title III program.
- 2. Establish followup procedures to assure that appropriate officials of all public schools are aware of the resources available through the program.

### OTHER PROGRAMS

The Superintendent's Office also administers many other programs financed by the state and Federal Government and available to public schools, such as Indian education and driver education programs. We were informed that some of these programs would also be beneficial to the state institutional schools. The utilization of these and other programs administered by the Superintendent's Office should not only result in an economic savings to the state institutional schools but should increase the opportunities and quality of education provided the students.

We believe that the Superintendent's Office should, in conjunction with the Department of Institutions, review all programs, both federal and state, to determine whether the state institutional schools are eligible for participation in the programs. We also believe the Superintendent's Office and



Department of Institutions should establish an on-going system to exchange information relative to various programs and insure that maximum utilization is attained by eligible state institutions.

## RECOMMENDATION

We recommend that the State Superintendent's Office consult with the Department of Institutions to:

- 1. Determine the extent to which the state institutional schools are eligible for other federal programs administered by the Superintendent's Office.
- 2. Develop a system to exchange information relative to their respective programs to insure that the state derives the optimum benefits available from federal education assistance programs.

### FINAL COMMENTS

We have reviewed the comments and recommendations included in this report with the State Superintendent of Public Instruction and appropriate personnel on her staff. We have also discussed the same material with the Director of the State Department of Institutions. We thank these officials and their staff for their cooperation and assistance.

Respectfully submitted,

Mones 2. Brusett

Morris L. Brusett Legislative Auditor

October 19, 1972





